

IN THE UNITED STATES DISTRICT FOR
THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CONNOR ELLIOTT and AMANDA	§	
ELLIOTT, individually and as next friend	§	
of N.E., their child and a minor,	§	
	§	
Plaintiffs	§	
	§	
	§	
vs.	§	No. 1:19-cv-427-LY
	§	
UNITED STATES OF AMERICA,	§	
	§	
Defendant	§	
	§	

JOINT RULE 26(f) DISCOVERY PLAN REPORT

Plaintiffs Connor Elliott and Amanda Elliott, Individually and as Next Friend of N.E., their minor child, and Defendant United States of America, by and through their counsel of record, submit the following report of their conference.

Counsel for the parties conferred via telephone and discussed the nature and basis of their claims and defenses, the possibility of prompt resolution of the case, to arrange initial disclosures required by Fed. R. Civ. P. 26(a)(1), to discuss any issues about preserving discoverable information, and to develop a proposed discovery plan and scheduling deadlines.

This is a personal injury case under the Federal Tort Claims Act concerning alleged medical malpractice during the labor and delivery of N.E. at Darnall Army Medical Center, Fort Hood, Texas. Parties believe that discovery is necessary on liability, causation, and damages.

Parties have discussed the need for electronic discovery in the form of the electronic medical records and continue to meet and confer on this issue. Also, the parties agree that responsive discovery will be produced in PDF format.

It does not appear that this case can be resolved without discovery. Parties have met and agreed upon the attached proposed scheduling order.

Respectfully Submitted,

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